

TO THE  
**RIGHT HONOURABLE**  
 The high Court of PARLIAMENT of the COMMON-WEALTH of  
 ENGLAND.

*The humble Petition of James Biddlecombe.*

**HUMBLT SHEWETH:**



**T**HAT John Cifrewest, Gent. was lawfully seized in his Demesne, as of Fee, of, and in the Mannor of *Moorechrichell*, and of, and in the Advowson of the Parish Church of *Moorechrichell* aforesaid, in the County of *Dorset*, and the Premises afterward descended, and lawfully came to *Dorothy Morgan*, wife of *Gregory Morgan*, Gent.

That the said *Dorothy* and *Gregory Morgan*, by the advice of *Sir Robert Napper*, Knight, for the prevention of the sale thereof, the said *Gregory* being profuse, and an ill Husband, about Michaelmas Tearme, in the foure and thirtieth yeare of the raigne of *Queene Elizabeth* did levy a Fine thereof to the said *Sir Robert Knapper*, *John Fitzjames*, and *John Coward*, Gent. in trust, to, and for the use of the Cognizers and their Heires.

That the said *Sir Robert Knapper* having obtained the Fine aforesaid to be levied, did subtilly advise and procure the said *Gregory Morgan* and *Dorothy* by Deed, to limit the use of the said Fine to the said *Sir Robert Fitzjames*, and *Coward*, and their Heires, with a Proviso therein, that upon the tender of a paire of Gloves of six pence, to *Sir Robert Napper* by the said *Dorothy*, and declaring any new use, the Fine should be to the use of such persons, and in such manner, as should be to newly limited.

That notwithstanding the said *Sir Robert Napper* did well know of the said Fine and Deed was levied, and made only in trust, yet intending thereby to obtaine the premisses to himselfe, upon the deaths of the said *Gregory* and *Dorothy*, refused to grant the premisses to *John Biddlecombe*, your Petitioners Grandfather, who was next Heire to the said *Dorothy*, but entred and possessed himselfe of the same, as though there had beene no trust in him reposed by the said Cognizers, although there was never any consideration paid by the said *Sir Robert Napper* for the same, and although the said *Dorothy* was ever untill her death reputed owner of the premisses.

That to intitle himselfe wholly in Law to the Premisses, the said *Coward* being dead for 700 l. given by him to *Fitzjames*, procures *Fitzjames* to release to him the said *Sir Robert Napper* all his right and claime in the Premisses.

That he having now by subtilty obtained his ends, he still refused to grant the Premisses to your Petitioners Grandfather, and to be relieved in Equity, your Petitioners said Grandfather preferr'd his Bill in Chancery, and thereupon by the power and procurement of the said *Sir Robert Napper*, it was decreed in May, the first yeare of the late Majesty King *James* (although much equity is expressed in the Decree itselfe for your Petitioners Grandfather, and although no sufficient ground is therein set forth to warrant a Dismission) that the Plaintiffs Bill should be dismissed, and that the Plaintiff should have 200 l. onely from *Mrs. Fitzjames* out of the 700 l. which Mr. *Fitzjames* had received for his release aforesaid.

That the said *Sir Robert Napper* being a powerfull man, and your Petitioners Grandfather being much weakened in his Estate, by reason of the said Suit, and not longer able to strive with them in his life time, your Petitioners Grandfather never as yet received the 200 l. or had any consideration for the said Premisses, but shortly after died.

That after his death, your poore Petitioners Father was disabled to prosecute his right yet occasioned your Petitioners Father through griefe, to fall into a lunacy and distraction of minde, which he continued untill his death, so that he was incapable in his life time to prosecute his right, by means thereof, and having no friends that durst take upon them to question your Petitioners fathers right, being awed by the power of the said *Sir Robert Napper*, and *Nathaniel Napper* his Sonne, and *Sir Gerard Napper* his Son, and *Sir Gerard Napper* hath successively kept, and enjoyed from your Petitioner the said Mannor and Premises, and the said *Sir Gerard Napper* doth most unconscionably keepe and enjoy the same, and refuseth to grant the Premisses to your Petitioner, according to the trust in the said *Sir Robert Napper* reposed by the said *Gregory Morgan*, and *Dorothy*.

Now forasmuch as the said Fine was levied, and the said Deed of uses made to the said *Sir Robert Napper* the said *Fitzjames* and *Coward*, but onely in trust, and for that it appeareth by *Sir Roberts* owne Answer in the said suit, that he never gave any consideration, as purchase money, for the Premisses, but that he only lent her, or laid out for her 400 l. which cannot be any valuable consideration, the Premises being at least 500 l. per annum. And for that some short time before the said *Dorothy's* death, when she would have tendred a paire of Gloves to the said *Sir Robert Napper* to revoke the said Deed of uses, the said *Sir Robert Napper* was in *Ireland*, and there continued till her death, and for that by the said Decree it selfe much equity doth appeare for your Petitioners Grandfather, yet his Bill was unjustly dismissed, onely allowing him 200 l. And forasmuch as the said *Sir Gerard Napper* hath gotten into his custody all the Evidences concerning the Premises, so that your Petitioner cannot evidence his right. And forasmuch as your Petitioners Grandfather was awed by the power of the said *Sir Robert Napper*, and weakened in his ability to resist them, or to seek further reliefe for his just right. And for that your poore Petitioners Father, by reason of his infirmity aforesaid, was disabled to seek reliefe in life, so that by occurrence of time, and by the potency of *Sir Gerard Napper*, and the Poverty of your Petitioner, your Petitioner is altogether hopelesse to recover his right in any other way but by the Clemency of your Honours.

Your poore Petitioner therefore humbly beseeches your Honours to take his miserable estate into consideration, and to call the said *Sir Gerard Napper* before your Honours, and to compell him to bring into this House all the Deeds and Evidences of the Mannor and Premises, that thereby your Petitioner may have your Honours cleare evidence of his right, and that your Honours would be pleased to take such speedy course for your Petitioners reliefe in all and singular the Premises, as to your grave wisdomes shall seem most meet.

And your poore Petitioner shall ever pray, &c.